

The Honorable Kymberly K. Evanson

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA and the states
of ALASKA, IDAHO, MONTANA, NEW
MEXICO, OREGON, and WASHINGTON *ex*
rel. DR. CARL ROSEN,

CASE NO. 2:19-cv-01018-KKE

ORDER

Plaintiffs,

V.

PACIFIC CATARACT AND LASER INSTITUTE, and DR. ROBERT FORD,

Defendants.

The Court has received notification that the United States and the States of Alaska, Idaho,

Montana, New Mexico, Oregon, and Washington (collectively, the Governmental Entities) have

declined at this time to intervene in this action pursuant to the False Claims Act, 31 U.S.C.

§ 3730(b)(4)(B) and the relevant state analogues. See Dkt. No. 31. Accordingly, it is hereby

ORDERED that:

ORDERED that:

1. The Complaint, this Order, the Governmental Entities' Notice of Declination, and all other papers on file in this action shall be unsealed;

2. Relator shall serve a copy of the Complaint, this Order, and the Governmental

1 Entities' Notice of Declination on Defendants;

2 3. The parties shall serve all pleadings and motions filed in this action, including
3 supporting memoranda, upon the Governmental Entities, as provided for in 31 U.S.C. § 3730(c)(3)
4 and the relevant state analogues. The Governmental Entities may seek dismissal of Relator's action
5 or claims, order any deposition transcripts, and are entitled to intervene in this action, for good
6 cause, at any time;

7 4. The parties shall serve all notices of appeal upon the Governmental Entities;

8 5. All orders of this Court shall be sent to the Governmental Entities; and

9 6. Should Relator or any Defendant propose that this action be dismissed, settled, or
10 otherwise discontinued, the Court will provide the Governmental Entities with notice and an
11 opportunity to be heard before ruling or granting its approval.

12

13 DATED this 27th day of September, 2023.

14 
15

16 Kymberly K. Evanson
17 United States District Judge

18

19 Presented by:

20 s/ Kayla C. Stahman

21 KAYLA C. STAHPAN, CA #228931
22 Assistant United States Attorney
23 United States Attorney's Office
 700 Stewart Street, Suite 5220
 Seattle, Washington 98101-1271
 Phone: 206-553-7970

1 | Fax: 206-553-4073
2 | Email: kayla.stahman@usdoj.gov

3 | *s/Katie Fairchild*
4 | KATIE FAIRCHILD, WA #47712
5 | Assistant United States Attorney
6 | United States Attorney's Office
7 | 700 Stewart Street, Suite 5220
8 | Seattle, Washington 98101-1271
9 | Phone: 206-553-7970
10 | Fax: 206-553-4073
11 | Email: katie.fairchild@usdoj.gov

12 |
13 | *s/Diana K. Cieslak*
14 | DIANA K. CIESLAK, DC # 1012520
15 | Attorney, Commercial Litigation Branch
16 | P.O. Box 261, Ben Franklin Station
17 | Washington, DC 20044
18 | Phone: 202-353-1336
19 | Email: diana.k.cieslak@usdoj.gov

20 |
21 | *s/Doug Boling*
22 | DOUG BOLING, WA #47081
23 | Assistant Attorney General
24 | Washington Office of the Attorney General
25 | P.O. Box 40114
26 | Olympia, WA 98504
27 | Phone: 206-389-3837
28 | Email: doug.boling@atg.wa.gov